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Books Noted

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BOOKS NOTED

FOUNDATIONS AND GOVERNMENT: STATE AND FEDERAL LAW AND SUPERVISION. By Marion R. Fremont-Smith. New York: Russell Sage Foundation. 1965. Pp. 564. \$8.50. Despite the growth of philanthropic foundations in recent years, this area continues to be plagued by legal uncertainties. Subject matter dealing with the legal aspects of such foundations has been relatively scarce. Marion Fremont-Smith now presents a treatment of the historical, statutory, judicial, and administrative facets of the foundations. She approaches the matter with an analysis of the creation of the foundations as legal entities, and discusses the legal organizational requirements of the foundations as trusts and corporations, the law of charitable dispositions, and the federal tax provisions relating to the foundations including a treatment of the treasury rulings and court decisions. In addition, the author examines state registration and supervision provisions. This comprehensive study should be of great value to anyone concerned with philanthropic foundations.

THE BIBLE AND THE SCHOOLS. By William O. Douglas. Boston: Little, Brown and Company. 1966. Pp. 65. \$3.75. In recent cases, the Supreme Court of the United States has, in an attempt to secure religious freedom for all, interpreted the mandates of the first and fourteenth amendments of the federal constitution rather broadly. Justice Douglas presents a discussion of the matter which should clarify the rationale behind the Supreme Court decisions in the cases dealing with religion in the public schools. He poignantly demonstrates that the authors of the constitution intended to secure the citizen's right to reject all religions, as well as to assure preference for no religion and tolerance for all religions. He notes that these provisions were formulated in an era that was marked by sectarianism and punishment for the nonbeliever. Furthermore, Justice Douglas notes that although Americans are generally a religious people, the free exercise clause requires the recognition of the right of a person to believe or not to believe in any or all religions.

SEX, PORNOGRAPHY & JUSTICE. By Albert B. Gerber. New York: Lyle Stuart, Inc. 1966. Pp. 349. \$10.00. Although the federal constitution guarantees freedom of speech and freedom of press, it has been clearly established that obscenity is not protected by the constitutional mandate. A problem of primary concern currently confronting the judiciary is the determination of what constitutes obscene material. In *Sex, Pornography & Justice*, Mr. Gerber presents literary excerpts and pictures from publications which have been the subject of judicial decisions, together with an analysis of the material and corresponding judicial opinions. He also discusses obscenity in connection with night club acts. Mr. Gerber concludes that in the abstract sense no material is obscene, and suggests that the solution to the problem should not be censorship, but rather, punishment of those individuals who misuse the material, such as by making it available to minors without parental consent.

A LIFE IN MY HANDS. By J. W. Ehrlich. New York: G. P. Putnam's Sons. 1965. Pp. 379. \$5.95. An autobiography of any trial attorney's experiences would be interesting reading material but when the experiences

are those of a successful trial attorney in his defense of celebrated and sometimes infamous personalities, the interest is significantly increased. *A Life in My Hands* relates the life of "Jake" Ehrlich from his youthful days as a professional boxer through more than forty years of legal practice. It contains descriptive accounts of the subtle and unpublicized processes underlying the practical aspects of the administration of justice and notes the human interactions involved in the processes.

RANSOM: A CRITIQUE OF THE AMERICAN BAIL SYSTEM. By Ronald Goldfarb. New York: Harper & Row, Publishers. 1965. Pp. xvii, 264. \$5.95. The bail systems currently in effect in most jurisdictions within the United States have recently been subjected to severe criticism. The primary objection to the systems is the inequity and unjust burden which they place upon those unable to raise bail. *Ransom* depicts case histories which clearly indicate the injustices of the present systems. In addition, it notes the experimental innovations being pursued in such jurisdictions as New York where the Manhattan Bail Project is in effect. More significantly, Mr. Goldfarb's study contains a proposal suggested as a means of eliminating the unfairness inherent in the present systems by making pretrial imprisonment the exception rather than the rule.

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